

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKETING DEPARTMENT

NOTICE OF FILING

DOCKET NO. 2009-213-S

APPLICATION OF MIDLANDS UTILITY, INC. REQUESTING APPROVAL OF A WHOLESALE BULK WASTEWATER AGREEMENT WITH THE TOWN OF LEXINGTON AND EXPANSION OF SERVICE AREA

Midlands Utility, Inc. ("Midlands") has filed an Application with the Public Service Commission of South Carolina (the "Commission") requesting that the Commission determine whether a certain Bulk Wholesale Wastewater Agreement ("the Agreement") to be entered into with the Town of Lexington ("Lexington") is in the public interest. If the Commission finds that said Agreement is in the public interest, Midlands requests that the Commission approve the Agreement and order Midlands to comply with the terms of the Agreement.

Currently, Midlands serves approximately five hundred sixty-six (566) residents and or businesses in and near the Town of Lexington, in Lexington County. Midlands seeks to provide sewer service to a parcel of property just east of Interstate 20, and on the north side of U.S. Highway 378 east of the Town of Lexington. According to the Application, Midlands wants to enter into that Agreement with Lexington. This Agreement requires that Lexington accept wastewater from customers in the Town of Lexington. Further, after connecting to Lexington's wastewater force main system, Midlands will provide collection – only services to its customers located on the parcel of property just east of Interstate 20, and on the north side of U.S. Highway 378 east of the Town of Lexington.

Also, according to the Agreement, Lexington will charge Midlands a wholesale rate for the transportation and treatment of its wastewater. The initial wholesale flat rate of \$3.45 per 1,000 gallons will be charged for wastewater customers.

A copy of the Company's entire Application can be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, 101 Executive Center Drive, Columbia, South Carolina 29210. Additionally, the Application is available on the Commission's website at www.psc.sc.gov and is available from Charles H. Cook, Esquire and Scott Elliott, Esquire, Elliott & Elliott, P.A., 721 Olive Street, Columbia, South Carolina 29205.

A public hearing, if scheduled, will be held in Columbia, South Carolina in the offices of the Commission at the above address, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **July 10, 2009**, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. ***Please refer to Docket No. 2009-213-S.***

Any person who wishes to testify and present evidence at the hearing, if scheduled, should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff, at 1401 Main Street, Suite 900, Columbia, South Carolina 29201 and Charles H. Cook, Esquire and Scott Elliott, Esquire, at the above address, on or before **July 10, 2009**, and indicate the amount of time required for his presentation. ***Please refer to Docket No. 2009-213-S.***

Any person, who wishes to be notified of the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before **July 10, 2009**. ***Please refer to Docket No. 2009-213-S.***

PLEASE TAKE NOTICE: Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina
Attn: Docketing Department
Post Office Drawer 11649
Columbia, South Carolina 29211

6/09/09